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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/026,681	12/18/2001	Muljadi Sulistio	CMRC 1009-1	7035

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EXAMINER

STEVENS, ROBERT

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 10/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/026,681	Applicant(s) SULISTIO ET AL.	
	Examiner Robert M Stevens	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 December 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7/26/02, 11/12/02</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-24 are pending in Application No. 10/026,681, entitled "Method and Apparatus for Generic Search Interface Across Document Types", filed 12/18/2001 by Sulistio et al. Claims 1, 8, 15, 16, 23 and 24 are independent.
2. The Office acknowledges two Information Disclosure Statements filed on 7/26/2002 and 11/12/2002.

Priority

3. Applicant makes no claim to either domestic or foreign priority.

Office Comments

4. The Office interprets the "loading" limitation recited at line 3 of claims 23 and 24 to mean electronic loading into a computer memory.

Drawings

5. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: Fig. 1 #141 and Fig. 2 #221. Please correct all such omissions throughout the drawings.

6. Other objections include the placement of leader lines through labels (e.g., Fig. 6 “XML Document sent”), and the use of an “upside-down” label (e.g., Fig. 6 “XML Response”). Please correct all such errors throughout the drawings.
7. To facilitate understanding of the drawings, the Office recommends that suitable legends be placed in (at least) Fig. 18, 19, 20 and 21 (see 37 CFR 1.84(o)).
8. Applicant is reminded to refer to the Notice of Draftsperson’s Patent Drawing Review, Form PTO-948, for further comments.
9. Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled “Replacement Sheet” in the page header (as per 37 CFR 1.84(c) and 1.121(d)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified

and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

10. The disclosure is objected to because of the following informalities:
 - A. Abstract, last sentence: The Abstract should summarize all aspects of the invention, not refer the reader to the body of the specification.
 - B. [0001], [0002]: Applicant is reminded to please verify and update the specification accordingly with the current status (including application no., publication no., patent no., as appropriate) for all such references to patent applications;
 - C. [0009] refers to "xCBL". Applicant is reminded to please expand all acronyms when first recited and to correct all spelling/grammatical/etc. mistakes throughout the specification (including the claims and drawings);
 - D. [0039] Should start the discussion of a new figure in a new paragraph (e.g., Fig. 5 discussion).
 - E. [0042] It appears that the xCBL schema is proprietary. Where in the specification is this schema disclosed?

F: [0044] refers to "Scripps". If an error, please correct (server-side scripts?), else, if a proprietary product, please point out in the specification where this product is disclosed.

Appropriate correction is required.

Compact Disc Submission

11. The description portion of this application contains a computer program listing consisting of more than three hundred (300) lines. In accordance with 37 CFR 1.96(c), a computer program listing of more than three hundred lines must be submitted as a computer program listing appendix on compact disc conforming to the standards set forth in 37 CFR 1.96(c)(2) and must be appropriately referenced in the specification (see 37 CFR 1.77(b)(4)). Accordingly, applicant is required to cancel the computer program listing appearing in the specification on pages 14-19, 20-24 and 24-35, file a computer program listing appendix on compact disc in compliance with 37 CFR 1.96(c) and insert an appropriate reference to the newly added computer program listing appendix on compact disc at the beginning of the specification.

Claim Rejections - 35 USC § 101

12. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

13. **Claims 1-14 and 16-22 are rejected under 35 U.S.C. 101** because the claimed invention is directed to non-statutory subject matter.

Regarding independent claims 1, 8, and 16: The language of these claims raises a question as to whether these claims are each directed merely to an abstract idea that is not tied to a technological art, environment or machine, which would result in a practical application producing a concrete, useful and tangible result to form the basis of statutory subject matter under 35 USC 101.

By way of example, a claim is not considered to be in the technological arts if the claim language is such that the claim elements could be performed using pencil or paper. However, one technique for satisfying the requirements of 35 USC 101 is to claim code residing in memory (i.e., hardware), wherein that code produces a tangible result.

Claims 2-7, 9-14 and 17-22 are dependent upon claims 1, 8 and 16, respectively, and do not add any limitations that would render these claims statutory under 35 USC 101. Therefore, these claims are likewise rejected.

Claim Rejections - 35 USC § 112

14. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

15. **Claims 1-24 rejected under 35 U.S.C. 112, first paragraph**, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Regarding claims 1-24, there does not appear to be any implementation details explaining the data structure that is at the core of this invention. No figure appears in the specification depicting the claimed data structure fields (document type, document field selection, value specification, path specification, etc.) and their interrelationship. Applicant needs to particularly point out where the data structure is described. Recitations to these data structure fields appear in all independent claims (1, 8, 15, 16, 23 and 24). The other claims are dependent upon these independent claims, as appropriate, and therefore are likewise rejected.

16. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

17. **Claims 1-24 are rejected under 35 U.S.C. 112, second paragraph**, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In regards to the independent claims 1, 8, 15, 16, 23 and 24, these claims all use the phrases “context sensitive to” (in what manner?), “tested against” (using what criteria?), “corresponding to” (how? Applied to both document fields and value specification fields or just one? If both, is the same ‘correspondence’ criterion used for each field type?), rendering these claims vague and indefinite.

Additionally regarding claim 1, there is a lack of antecedent basis as to “the completed value specifications” (refer to lines 11-12).

Claims 2–7, 9-14 and 17-22 are dependent upon claims 1, 8 and 16, respectively, and therefore likewise rejected.

Also in regards to claim 9, the claim language is convoluted. It is unclear what field value is affecting what other field value, whether a user is setting only action fields or action fields and a reference field operation value, and whether “current” is before or after the user sets field value(s).

Claims 10-14 are dependent upon claim 9 and therefore likewise rejected.

Further regarding claims 17-22, these method claims are dependent (directly or indirectly) upon claim 16, which is directed to a "computer user interface". As such, the scope of these claims is vague and indefinite.

Claim Rejections - 35 USC § 103

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

19. **Claims 1, 3-8, 10-16 and 18-24 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Probst et al. (US Patent Application Publication No. 2003/0140034, provisionally filed Dec. 12, 2000, hereafter referred to as "Probst") in view of Elliotte Rusty Harold (XML: Extensible Markup Language, IDG Books Worldwide, Inc., Foster City, CA, (c) 1998, hereafter referred to as "Harold").

Regarding independent claim 1, Probst discloses:

A method of searching a plurality of self-describing, structured documents (Fig. 5 #501), said documents including documents fields (Fig. 7 #703, 704, 705 and Fig. 5 #502), the method including:

providing a user interface including a document type selection filter;
(Fig. 5 #503)

Art Unit: 2176

one or more document field selection filters, context sensitive to a selected document type; (Fig. 5 #502)
one or more value specification fields, context sensitive to the document fields; (Fig. 7 #705 and [0056] re: digitally encoded asset data)
... ;
receiving the selected document type and completed value specifications (Fig. 5 #503, 504) and ... ; and
searching a subset of the self-describing, structured documents based on the completed value specifications (first sentence of [0034]) and ..., the subset including documents of the selected document type (first sentence of [0034])

However, Probst does not explicitly disclose:

as non-displaying fields, one or more path specifications corresponding to the document fields and to the value specification fields, said path specifications identifying nodes to be tested against completed value specifications;
... and the corresponding path specifications; and
... and the corresponding path specifications, ...

Harold, though, discloses:

as non-displaying fields, one or more path specifications corresponding to the document fields and to the value specification fields, said path specifications identifying nodes to be tested against completed value specifications; (p. 268, paragraph below "Selection by Attribute")
... and the corresponding path specifications; (p. 268, paragraph below "Selection by Attribute") and
... and the corresponding path specifications (p. 268, paragraph below "Selection by Attribute"), ...

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Harold for the benefit of Probst, because to do so would allow a programmer to select a particular element within a document as taught by Harold on p. 259 in the 5th paragraph disclosing that "Xpointer can refer to a particular

Art Unit: 2176

element in a document". These references were all applicable to the same field of endeavor, i.e., structured document processing.

Regarding claim 3, which is dependent upon claim 1, Probst discloses:

wherein the self-describing, structured documents are compliant with any version of an XML standard. ([0003], discloses use of XML)

Claim 4, which depends upon claim 3, is substantially similar to claim 3 and therefore likewise rejected.

Regarding claim 5, which is dependent upon claim 1, Probst discloses:

wherein the user interface is a character string compliant with any version of an HTML standard. ([0052], discloses use of HTML)

Regarding claim 6, which is dependent upon claim 3, Probst discloses:

wherein the user interface is a character string compliant with any version of an HTML standard. ([0052], discloses use of HTML)

Claim 7, which depends upon claim 4, is substantially similar to claim 6 and therefore likewise rejected.

Regarding independent claim 8, Probst discloses:

A method of searching a plurality of self-describing, structured documents (Fig. 5 #501), said documents including documents fields (Fig. 7 #703, 704, 705 and Fig. 5 #502), the method including:

*providing a user interface (Fig. 5) including:
a document type selection filter; (Fig. 5 #503)*

one or more document field selection filters, context sensitive to a selected document type; (Fig. 5 #502)

one or more value specification fields, context sensitive to the document fields; (Fig. 7 #705 and [0056] re: digitally encoded asset data)

receiving the selected document type and the completed value specifications (Fig. 5 #503, 504) ... ;

... ;

searching a subset of the self-describing, structured documents based on the completed value specifications (first sentence of [0034]) and ..., the subset including documents of the selected document type (first sentence of [0034]).

However, Probst does not explicitly disclose:

... and document field identifiers corresponding to the completed value specifications;

looking up path specifications corresponding to the document field identifiers, said paths specifications identifying nodes to be tested against completed value specifications;

Harold, though, discloses:

... and document field identifiers corresponding to the completed value specifications (p. 268, paragraph below "Selection by Attribute");

looking up path specifications corresponding to the document field identifiers, said paths specifications identifying nodes to be tested against completed value specifications; (p. 260, first paragraph below "Absolute Location Terms" and p. 264, first paragraph below "Relative Location Terms"), ...

... and the corresponding path specifications (p. 268, paragraph below "Selection by Attribute"), ...

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Harold for the benefit of Probst, because to do so would allow a programmer to select a particular element within a document as taught by Harold on p. 259 in the 5th paragraph disclosing that "Xpointer can refer to a particular

element in a document". These references were all applicable to the same field of endeavor, i.e., structured document processing.

Claim 10, which is dependent upon claim 8, is substantially similar to claim 3 and therefore likewise rejected.

Claim 11, which is dependent upon claim 10, is substantially similar to claim 10 and therefore likewise rejected.

Claim 12, which is dependent upon claim 8, is substantially similar to claim 5 and therefore likewise rejected.

Claim 13, which is dependent upon claim 10, is substantially similar to claim 6 and therefore likewise rejected.

Claim 14, which is dependent upon claim 11, is substantially similar to claim 13 and therefore likewise rejected.

Regarding independent claim 15, Probst discloses:

A method of specifying where to search among a plurality of self-describing, structured documents (Fig. 5 #501), said documents having document types and including documents fields (Fig. 7 #703, 704, 705 and Fig. 5 #502), the method including:

displaying a user interface including a document type selection filter; (Fig. 5 #503)

Art Unit: 2176

one or more document field selection filters, context sensitive to a selected document type; (Fig. 5 #502)

one or more value specification fields, context sensitive to the document fields; (Fig. 7 #705 and [0056] re: digitally encoded asset data)

... ;

receiving from a user the selected document type and the completed value specifications; (Fig. 5 #503, 504) and

transmitting to a server (Fig. 3 #201, 304) the selected document type (Fig. 5 #503) and the completed value specifications (Fig. 5 #503, 504) ... corresponding to the completed value specifications. (Fig. 3 #301, 304, 201)

However, Probst does not explicitly disclose:

the user interface further including, as non-displaying fields, one or more path specifications corresponding to the document fields and to the value specification fields, said paths specifications identifying nodes in the documents to be tested against completed value specifications;

... and the path specifications, ...

Harold, though, discloses:

the user interface further including, as non-displaying fields, one or more path specifications corresponding to the document fields and to the value specification fields, said paths specifications identifying nodes in the documents to be tested against completed value specifications; (p. 268, paragraph below "Selection by Attribute")

... and the path specifications, ... (p. 268, paragraph below "Selection by Attribute"), ...

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Harold for the benefit of Probst, because to do so would allow a programmer to select a particular element within a document as taught by Harold on p. 259 in the 5th paragraph disclosing that "Xpointer can refer to a particular element in a document". These references were all applicable to the same field of endeavor, i.e., structured document processing.

Regarding independent claim 16, Probst discloses:

*A computer user interface (Fig. 5), including:
a document type selection filter; (Fig. 5 #503)
one or more document field selection filters, context sensitive to a
selected document type; (Fig. 5 #502)
one or more value specification fields, context sensitive to the
document fields; (Fig. 7 #705 and [0056] re: digitally encoded asset data)
and*

However, Probst does not explicitly disclose:

*as non-displaying fields, one or more path specifications
corresponding to the document fields and to the value specification fields,
said paths specifications identifying nodes of a self-describing, structured
document to be tested against completed value specifications.*

Harold, though, discloses:

*as non-displaying fields, one or more path specifications
corresponding to the document fields and to the value specification fields,
said paths specifications identifying nodes of a self-describing, structured
document to be tested against completed value specifications. (p. 268,
paragraph below "Selection by Attribute"), ...*

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Harold for the benefit of Probst, because to do so would allow a programmer to select a particular element within a document as taught by Harold on p. 259 in the 5th paragraph disclosing that "Xpointer can refer to a particular element in a document". These references were all applicable to the same field of endeavor, i.e., structured document processing.

Claim 18, which is dependent upon claim 16, is substantially similar to claim 3 and therefore likewise rejected.

Claim 19, which is dependent upon claim 18, is substantially similar to claim 18 and therefore likewise rejected.

Claim 20, which is dependent upon claim 16, is substantially similar to claim 5 and therefore likewise rejected.

Claim 21, which is dependent upon claim 18, is substantially similar to claim 6 and therefore likewise rejected.

Claim 22, which is dependent upon claim 19, is substantially similar to claim 21 and therefore likewise rejected.

Regarding independent claim 23, Probst discloses:

A method of providing a searchable data base of self-describing, structured documents (Fig. 5 #501, 505), including:
 loading a set of document field (Fig. 5 #503) and ... ;
 indexing portions of documents corresponding to the document field paragraph [0016]) ...
 providing a user interface based on the set, including a document type selection filter; (Fig. 5 #503)
 one or more document field selection filters, context sensitive to a selected document type; (Fig. 5 #502)
 one or more value specification fields, context sensitive to the document fields; (Fig. 7 #705 and [0056] re: digitally encoded asset data)
 and

However, Probst does not explicitly disclose:

*... path specification pairs, said path specifications identifying nodes of self-describing, structured documents to be indexed and searched;
... and path specification pairs; and
as non-displaying fields, one or more path specifications corresponding to the document fields and to the value specification fields, said paths specifications identifying nodes in the documents to be tested against completed value specifications.*

Harold, though, discloses:

*... path specification pairs, said path specifications identifying nodes of self-describing, structured documents to be indexed and searched; (p. 260 first paragraph under "Absolute Location Terms" p. 260 first paragraph under "Absolute Location Terms") and
indexing ... and path specification pairs; (p. 260 first paragraph under "Absolute Location Terms" p. 260 first paragraph under "Absolute Location Terms") and
as non-displaying fields, one or more path specifications corresponding to the document fields and to the value specification fields, said paths specifications identifying nodes in the documents to be tested against completed value specifications. (p. 268, paragraph below "Selection by Attribute")*

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Harold for the benefit of Probst, because to do so would allow a programmer to select a particular element within a document as taught by Harold on p. 259 in the 5th paragraph disclosing that "Xpointer can refer to a particular element in a document". These references were all applicable to the same field of endeavor, i.e., structured document processing.

Regarding independent claim 24, Probst discloses:

Art Unit: 2176

A method of providing a searchable data base of self-describing, structured documents (Fig. 5 #501, 505), including:
loading a set of document type (Fig. 5 #503) and ... ;
indexing portions of documents corresponding to the document type paragraph [0016]) ...
providing a user interface based on the set, including a document type selection filter; (Fig. 5 #503)
one or more document field selection filters, context sensitive to a selected document type; (Fig. 5 #502)
one or more value specification fields, context sensitive to the document fields; (Fig. 7 #705 and [0056] re: digitally encoded asset data)
and

However, Probst does not explicitly disclose:

... path specification pairs, said path specifications identifying nodes of self-describing, structured documents to be indexed and searched;
... and path specification pairs; and
as non-displaying fields, one or more path specifications corresponding to the document fields and to the value specification fields, said paths specifications identifying nodes in the documents to be tested against completed value specifications.

Harold, though, discloses:

... path specification pairs, said path specifications identifying nodes of self-describing, structured documents to be indexed and searched; (p. 260 first paragraph under "Absolute Location Terms" p. 260 first paragraph under "Absolute Location Terms") and
indexing ... and path specification pairs; (p. 260 first paragraph under "Absolute Location Terms" p. 260 first paragraph under "Absolute Location Terms") and
as non-displaying fields, one or more path specifications corresponding to the document fields and to the value specification fields, said paths specifications identifying nodes in the documents to be tested against completed value specifications. (p. 268, paragraph below "Selection by Attribute")

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Harold for the benefit of Probst, because to do so

Art Unit: 2176

would allow a programmer to select a particular element within a document as taught by Harold on p. 259 in the 5th paragraph disclosing that "Xpointer can refer to a particular element in a document". These references were all applicable to the same field of endeavor, i.e., structured document processing.

20. **Claims 2, 9 and 17 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Probst et al. (US Patent Application Publication No. 2003/0140034, provisionally filed Dec. 12, 2000, hereafter referred to as "Probst") in view of Elliotte Rusty Harold (XML: Extensible Markup Language, IDG Books Worldwide, Inc., Foster City, CA, (c) 1998, hereafter referred to as "Harold") and further in view of XML Path Language (XPath) Version 1.0 (W3C Recommendation 16 November 1999, hereafter referred to as "XPath Spec.").

Regarding claim 2, which is dependent upon claim 1, the limitations of claim 1 have been previously addressed. Probst, however, does not explicitly disclose:

wherein the path specifications are compliant with any version of an Xpath standard.

XPath Spec., though, discloses:

wherein the path specifications are compliant with any version of an Xpath standard. (p. 1, Abstract)

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of XPath Spec. for the benefit of Probst in view of Harold, because to do so would allow a programmer to address parts of an XML document as taught by XPath Spec. in the first sentence of p. 4. These references were all applicable to the same field of endeavor, i.e., distributed processing.

Claim 9, which is dependent upon claim 8, is substantially similar to claim 2 and therefore likewise rejected.

Claim 17, which is dependent upon claim 16, is substantially similar to claim 2 and therefore likewise rejected.

Conclusion

21. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Non-patent Literature

Eddy, Sandra E., et al., Teach Yourself XML, IDG Books Worldwide, Inc., Foster City, CA, © 1999, pp. 303-313 and 433-443.

Holman, G. Ken, "Getting Started with XSLT and Xpath", downloaded from:
http://web.archive.org/web/20010210014923/http://www.xml.com/lpt/a/2000/08/holman/s2_1.html, Feb. 10, 2001, pp. 1-15 (plus date page from WayBack Machine).

US Patent Application Publications

Marron et al

US2003/0065874

Lennon	US2003/0208473
Del Rey et al	US2004/0162773

US Patents

Chau et al	6,712,727
Chang et al	6,240,407
Cheng et al	6,421,407
Tateno	5,778,400
Tateno	5,812,999
Lal	6,684,204
Maslov	6,538,673
Potts, Jr.	6,026,432

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M Stevens whose telephone number is (703) 605-4367. The examiner can normally be reached on M-F 7:00 - 3:30. After mid-October 2004, the Examiner can be reached at (571) 272-4102.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can currently be reached on (703) 305-9792. The current fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. However, note that the main number for Technology Center 2100 will be (571) 272-2100, as of mid-October 2004.

Art Unit: 2176

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Robert M. Stevens
Art Unit 2176
Date: October 12, 2004

rms



SANJIV SHAH
PRIMARY EXAMINER